

Requests for Information (RFIs) and the Planned Secondary Purchase

Utilizing Partnerships for Effective and
Efficient Service Planning, Procuring and
Contracting

Why combine RFIs and Planned Secondary Purchases in this workshop?

- They are both tools;
- part of Chapter 103F, HRS;
- suited to collaboration and partnering.

What is Chapter 103F?

Putting Things in Perspective

The state has 2 statutes for buying what it needs:

Chapter 103D , HRS	Chapter 103F , HRS
The Procurement Code	Purchases of Health and Human Services
Goods, services (that are not health & human services) and construction	Health and Human Services

What is Health and Human Services

"Health and human services" means services to communities, families, or individuals which are intended to maintain or improve health or social well-being through methods including, but not limited to:

- (a) Assessment, treatment, diagnosis, prevention, and education services provided directly to a target clientele; or
- (b) Insurance coverage for assessment, treatment, diagnosis, prevention, and education services to be provided to a target clientele.

Request for Information

What is it?

An RFI (Request for Information) is a tool used to gather, share and clarify information when state agencies conduct planning activities for health and human services.

An RFI can address any subject relevant to a state agencies planning activities such as,

- the goals and objectives;
- target population or clients to be served;
- services that are necessary to reach the goal;
- service specifications;
- feasibility issues; or
- cost factors.

There are 4 basic elements that must be in an RFI.

1. A description of the information being sought.
The more specific the questions, the more likely respondents will address the areas about which you have concerns.
2. The procedure for responding.
(Place and location of a meeting, address to send comments, etc.)
3. A statement that participation is optional, and is not required to respond to any subsequent procurement.
4. A statement that neither the purchasing agency nor the interested party has any obligation under the request for information.

What form must an RFI take?

- An RFI can be written.
- A meeting can be called.
- It can be written and faxed, e-mailed or mailed. It can even be done via a state agency's website.
- It can be done using any combination of these.

How often should an RFI be conducted?

- It is recommended RFI's be conducted each time a state agency plans to solicit services.
- This will help to ensure the most efficient and effective services are procured and will decrease the number of problems with and need for amendments to solicitations.

Depending on the complexity of the service or the issue being addressed, it may be advisable to conduct more than one RFI.

- For instance, one RFI might be conducted early in the process to obtain feedback on a configuration of services a state agency is considering.
- After obtaining feedback and analyzing it, a second RFI containing a draft of service specifications may be issued to obtain additional feedback.

If a provider participates by responding to an RFI, does that disqualify the provider from submitting a proposal?

- Providers may respond to the RFI and then compete for the subsequent solicitation.
- Collaboration with providers is encouraged and may be in such areas as best practices, cost/budget factors, service configuration and service specifications.

It is permissible as long as the participation by providers is:

- Uncompensated; and
- Is not anti-competitive.

Planned Secondary Purchases

The secondary Purchase is a tool whereby purchasing agencies may coordinate purchases of similar health and human services by combining their requirements as primary and secondary purchases of health and human services.

There are 2 kinds of Secondary Purchases

- **After-the-fact** secondary purchase. A purchasing agency may utilize the service or part of the service that has already been procured under a competitive purchase of service by another purchasing agency; or
- **Planned** secondary purchase. When two or more purchasing agencies require the procurement of substantially the same health and human services, they may combine their requirements and issue a single request for proposals.

What are the Primary and Secondary Purchasers?

- **Primary Purchaser**

The purchasing agency requiring the largest share of the services detailed in the request for proposals.

- **Secondary Purchaser**

The purchasing agency requiring the smaller share.

- A secondary purchaser's share of the total services to may *not* exceed 30%, unless the head of the secondary purchaser determines in writing that good cause exists for a greater share.

The Responsibilities of the Primary & Secondary Purchasers

- The primary purchaser has the responsibility of complying with the procedures and requirements of a competitive purchase of services.
- The secondary purchaser has the responsibility of cooperating with the reasonable requests of the primary purchaser.
- The primary and secondary purchasers execute *separate* contracts.

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Questions?

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